



*Connecticut Chapter
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Martin Mador, Legislative Chair

Environment Committee

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Testimony In Support of

HB 6263 AAC The Transition From The Ten Mill Program

HB 6262 The Community Investment Account

HB 6503 AAC Conservation District Funding

HB 6505 AAC Stream Flow Regulations

HB 5518 AA Establishing A State-wide Water Use Plan

SB 205 AA Requiring Certain Thermostat Manufacturers To Pay Incentives

For The Return Of Mercury Thermostats

HB 5387 AA Establishing A Fine For The Subsequent Illegal Dumping Of Litter

SB 1117 AAC Pharmaceutical And Prescription Drug Waste

I am Martin Mador, 130 Highland Ave., Hamden, CT 06518. I am the volunteer Legislative Chair for the Sierra Club-Connecticut Chapter. I am also a director of Rivers Alliance and of the Quinnipiac River Watershed Association. I hold a Masters of Environmental Management degree from the Yale School of Forestry and Environmental Studies. I studied water and river processes as part of my graduate coursework.

HB 6505

PA 05-142 instructed DEP to promulgate streamflow regulations which would, for the first time, require that all streams in the state receive enough water to keep them minimally alive. DEP engaged in a five year process to produce the regulations. All stakeholders and several state agencies were at the table during this process, which culminated in a hearing and written testimony from four hundred people and organizations.

The Regulations Review Committee last year rejected without prejudice the submitted DEP regulations, in part because of a claim that the regulations covered surface flows and releases as well as groundwater, but that the word "groundwater" did not appear explicitly in the underlying legislation. Environmental advocates claimed that the goal of the bill, "To establish interim and long-term water flow regulations, which regulations will provide for a sufficient flow of water to preserve and protect natural aquatic life", could not possibly be met without consideration of groundwater. The science of river processes informs us that surface flows and groundwater are part of a single hydrologic system, and that groundwater had to be included. Further, the use of terms such as "areas of stratified drift" were clear evidence of groundwater inclusion. In the end, the Committee recommended that additional legislation be submitted to explicitly bring consideration of groundwater into the regulations.

HB 6505 does exactly that. Concerns that this bill would impede, undercut, or take the six year development process back to the beginning, are unfounded. DEP may have removed groundwater from the regulations in later submissions to the Committee, but they are already drafted, and exist in earlier versions of the submitted regulations. Because implementation of the regulations will take many years, even decades, adding groundwater as a second stage in the

process is feasible.

HB 5518

Connecticut enjoys a bountiful 45" of rain annually. We are not short of water. However, we have no statewide plan for water usage, so we have no mechanism for balancing water needs across the state. 5518 would start a process to develop such a plan.

We previously de-coupled our electric rates, so our electric bill now contains charges for both transmission and distribution, and for the quantity of electricity consumed. We have no such structure in our water rates, so the water companies are completely dependant on quantity of water sold for their profits. Sierra suggests amending 5518 to call for a study of de-coupling of water rates, so that the water companies can promote conservation and programs such as streamflow regulation without unduly damaging their profits.

SB 205

Mercury is universally regarded as an exceptionally toxic element. While naturally occurring, we have increased our exposure to it through use in household products (thermostats, fever thermometers) and smokestack emissions through burning of coal to produce energy.

Extended producer responsibility (EPR), product stewardship, and manufacturer take-back describe programs which affect the post-consumer phase of our consumption-based society. They limit the introduction of toxics and excessive packaging and encourage recycling of product components by imposing obligations on the original manufacturer. We have done this in Connecticut through such programs as recycling of electronic waste and the proposed unused paint take-back program.

SB 205 extends this idea to mercury household thermostats. While no longer allowed to be installed, their continued use is not restricted. Many residences contain them. The danger lies in their inclusion in the waste stream when a house is remodelled or torn down, or when a mercury thermometer is replaced by a newer electronic one. This bill establishes a take back program with economic incentives to capture these older units before they are tossed in the garbage. It is an important next step in the evolution of efforts to remove mercury from our environment.

Sierra strongly endorses the principle of EPR, and SB 205.

HB 5387

Littering is an environmental insult. It should be met with strong penalties, as this is clearly an intentional, not accidental, act. Elevated fines for repeat offenders are appropriate.

Sierra suggests that HB 5387 needs a clear definition of a 2nd offense to be enforceable. Would it be littering by the same offender, regardless of place? By the same offender in the same locale? Within a defined time span, or without regard to the time interval between offenses?

SB 1117

Discharge of drugs into our environment is a serious issue, but a difficult one to address. Pharmacy take-back programs for prescription drugs are regulated by the federal government, especially for controlled substances. Drugs not completely metabolized by the body can be identified in waterways downstream of discharge points, even of such limited discharges as retirement villages.

Very few people understand proper disposal methods for unneeded drugs. While adding to an underfunded and overworked agency's agenda should not be done lightly, this bill might instruct DEP to both develop and publicize guidelines for individuals and institutions, or at least

adopt the federal guidelines. There are none currently on the agency's webpages. There is a list of 78 items with specific disposal guidelines, including pesticides, gasoline and oil, dead animals, and household hazardous waste, but none for prescription drugs.

I wonder how many people are aware of the federal recommendation:

If a drug take-back or collection program is not available:

- Take your prescription drugs out of their original containers.
- Mix drugs with an undesirable substance, such as cat litter or used coffee grounds.
- Put the mixture into a disposable container with a lid, such as an empty margarine tub, or into a sealable bag.
- Conceal or remove any personal information, including Rx number, on the empty containers by covering it with black permanent marker or duct tape, or by scratching it off.
- Place the sealed container with the mixture, and the empty drug containers, in the trash.

Office of National Drug Control Policy, October 2009

Including this information with each prescription would be sound public policy.

HB 6263

Conversion of the 10mil properties to the 490 program should have happened in the 2010 session. It is good public policy. This bill is recommended.

HB 6262

Payments from the Community Investment Account may cease on July 1 of this year unless 6262 is passed. The program funds valuable programs, and should be allowed to continue disbursement of funds.

HB 6503

The Soil and Water Conservation Districts have provided very useful resources for environmental projects. The Governor's budget contains no funding for them. This bill would fund the districts, as they have been in the past, through fees rather than from the general fund. Sierra recommends passage.

